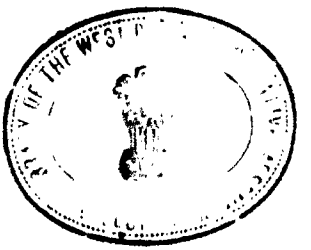

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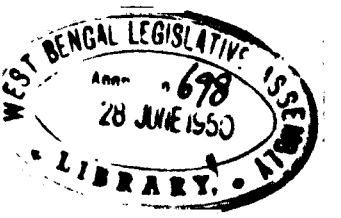

Council Proceedings

Official Report

Bengal Legislative Council

Thirty-second Session, 1929

2nd and 3rd July, 1929

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GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

His Excellency Colonel the Right Hon'ble Sir FRANCIS STANLEY JACKSON, P.C., G.C.I.E.

MEMBERS OF THE EXECUTIVE COUNCIL.

The Hon'ble Mr. A. N. Moberly, C.I.E., I.C.S., in charge of the following portfolios:—

1. Appointment.
2. Political, excluding Haj Pilgrimage.
3. Police.
4. Ecclesiastical.
5. Regulation of medical and other professional qualifications and standards, subject to legislation by the Indian Legislature.
6. Judicial.

The Hon'ble Sir PROVASH CHUNDER MITTER, KT., C.I.E., in charge of the following portfolios:—

1. Land Revenue.
2. Land Acquisition.
3. Excluded Areas.
4. Jails.
5. Legislative.
6. Local Self-Government.

The Hon'ble ALHADJ Sir ABDELKERIM GHUZNAVI, KT., in charge of the following portfolios:—

1. Emigration.
2. Immigration.
3. Jurisdiction.
4. Haj Pilgrimage.
5. Forests.
6. Irrigation.
7. Agriculture and Industries (excluding Excise).
8. Registration.

The Hon'ble MR. M. C. MCALPIN, C.I.E., I.C.S., in charge of the following portfolios:—

1. Finance.
2. Separate Revenue.
3. Commerce and Industrial subjects.
4. Marine.
5. European Education.
6. Education.
7. Excise.
8. Public Works.

PRINCIPAL OFFICERS OF THE BENGAL LEGISLATIVE COUNCIL.

PRESIDENT.

The Hon'ble Raja MANMATHA NATH RAY CHAUDHURI, of Santosh.

DEPUTY PRESIDENT.

MR. RAZAUR RAHMAN KHAN, B.L.

Secretary to the Council—J. BARTLEY, I.C.S.

Assistant Secretaries to the Council—A. M. HUTCHISON and K. N. MAJUMDAR.

Registrar to the Council—J. W. McKAY (on leave).

BENGAL LEGISLATIVE COUNCIL.

ALPHABETICAL LIST OF MEMBERS.

A

Ahmed, Maulvi Shamsuddin. [Hooghly *cum* Howrah Municipal (Muhammadan).]
Ali, Maulvi Hassan. [Dinajpur (Muhammadan).]
Ali, Maulvi Syed Nausher. [Jessore South (Muhammadan).]
Ali, Mr. Altaf. [Bogra (Muhammadan).]

B

Bagchi, Babu Romes Chandra. [Malda (Non-Muhammadan).]
Baksh, Maulvi Syed Majid. [Jessore North (Muhammadan).]
Banerjea, Dr. Pramathanath. [Calcutta East (Non-Muhammadan).]
Banerjee, Babu Promotha Nath. [Midnapore South (Non-Muhammadan).]
Banerjee, Mr. P. [24-Parganas Rural South (Non-Muhammadan).]
Bannerjee, Babu Jitendralal. [Birbhum (Non-Muhammadan).]
Barma, Rai Sahib Panchanan, M.B.E. [Rangpur West (Non-Muhammadan).]
Basu, Babu Santosh Kumar. [24-Parganas Municipal South (Non-Muhammadan).]
Basir Uddin, Maulvi Mohammed. [Rajshahi North (Muhammadan).]
Blair, Mr. J. R. (Nominated Official.)
Bose, Babu Bejoy Krishna. [Calcutta South (Non-Muhammadan).]
Bose, Mr. Subhas Chandra. [Calcutta North (Non-Muhammadan).]

C

Cassells, Mr. A. (Nominated Official.)
Chakraburtty, Babu Jatindra Nath. [Rangpur East (Non-Muhammadan).]
Chakravarti, Babu Jogindra Chandra. [Dinajpur (Non-Muhammadan).]
Chatterjee, Srijut Bijay Kumar. [Bankura West (Non-Muhammadan).]
Chatterji, Babu Amarendranath. [Hooghly Municipal (Non-Muhammadan).]
Chaudhuri, Khan Bahadur Maulvi Alimuzzaman. [Faridpur North Muhammadan).]

Chaudhuri, Khan Bahadur Maulvi Hafizur Rahman. (Nominated Non-official.)
Chaudhuri, Maulvi Ashrafuddin. [Tippera North (Muhammadan).]
Choudhury, Maulvi Nural Absar. [Chittagong North (Muhammadan).]
Chowdhury, Haji Badi Ahmed. [Chittagong South (Muhammadan).]
Chowdhury, Maulvi Abdul Ghani, B.L. [Dacca West Rural (Muhammadan).]
Clark, Mr. I. A. (Indian Mining Association.)
Cohen, Mr. D. J. (Nominated Non-official.)
Colman, Mr. E. R. (Indian Tea Association.)
Cook, Mr. A. W., C.I.E. (Nominated Official.)

D

Dain, Mr. G. R. (Bengal Chamber of Commerce.)
Das, Dr. Mohini Mohan. [Faridpur South (Non-Muhammadan).]
Das Gupta, Dr. J. M. [Calcutta Central (Non-Muhammadan).]
Dash, Mr. A. J. (Nominated Official.)
Datta, Babu Akhil Chandra. [Tippera (Non-Muhammadan).]
Dutt, Babu Saral Kumar. [Bakarganj North (Non-Muhammadan).]

E

Eusson, Mr. G. A. (Nominated Official.)
Eusufji, Maulvi Nur Rahman Khan. [Mymensingh South-West (Muhammadan).]

F

Faroqui, Khan Bahadur K. G. M. [Tippera South (Muhammadan).]
Fazlullah, Maulvi Muhammad. [Noakhali West (Muhammadan).]
Forrester, Mr. J. Campbell. [Presidency and Burdwan (European).]

G

Ganguli, Babu Pratul Chandra. [Dacca City (Non-Muhammadan).]
Ghose, Babu Amarendra Nath. [Mymensingh West (Non-Muhammadan).]
Ghose, Mr. M. C. (Nominated Official.)
Ghuznavi, the Hon'ble Alhadj Sir Abdelkerim, KT. (Member, Executive Council.)
Gilchrist, Mr. R. N. (Nominated Official.)
Goenka, Rai Bahadur Badridas, C.I.E. (Bengal Marwari Association.)

Gupta, Mr. Jogesh Chandra. [Calcutta South Central (Non-Muhammadan).]
Gurner, Mr. C. W. (Nominated Official.)

H

Habibullah, Nawab Khwaja. [Dacca City (Muhammadan).]
Hakim, Maulvi Abdul. [Mymensingh Central (Muhammadan).]
Hashemy, Maulvi Syed Jalaluddin. [Khulna (Muhammadan).]
Haque, Khan Bahadur Maulvi Azizul. [Nadia (Muhammadan).]
Himatsingka, Babu Prabhu Doyal. [Calcutta West (Non-Muhammadan).]
Hogg, Mr. G. P. (Nominated Official.)
Hopkyns, Mr. W. S., C.I.E., O.B.E. (Nominated Official.)
Hoque, Kazi Emdadul. [Rangpur East (Muhammadan).]
Hosain, Nawab Musharruf, Khan Bahadur. [Malda *cum* Jalpaiguri (Muhammadan).]
Hossain, Maulvi Muhammad. [Bakarganj North (Muhammadan).]
Huq, Khan Saheb Maulvi Bazlul. [Noakhali East (Muhammadan).]
Huq, Mr. A. K. Fazl-ul. [Bakarganj West (Muhammadan).]
Hussain, Maulvi Latafat. (Nominated Non-official.)

I

Insch, Mr. J. (Bengal Chamber of Commerce.)

J

Jenkins, Dr. W. A. (Nominated Official.)

K

Karim, Maulvi Abdul. [Burdwan Division South (Muhammadan).]
Kasem, Maulvi Abul. [Burdwan Division North (Muhammadan).]
Khan, Babu Debendra Lal. [Midnapore North (Non-Muhammadan).]
Khan, Khan Sahib Maulvi Muazzam Ali. [Pabna (Muhammadan).]
Khan, Maulvi Tamizuddin. [Faridpur South (Muhammadan).]
*Khan, Mr. Razaur Rahman. [Dacca East Rural (Muhammadan).]

L

Laird, Mr. R. B. (Bengal Chamber of Commerce.)
Lamb, Mr. T. (Indian Jute Mills Association.)
Law, Mr. Surendra Nath. (Bengal National Chamber of Commerce.)
Leslie, Mr. M. (Calcutta Trades Association.)

* Deputy President, Bengal Legislative Council.

M

Maguire, Mr. L. T. (Anglo-Indian.)
Maiti, Babu Mahendra Nath. [Midnapore South-East (Non-Muhammadan).]
Mazumdar, Mr. Birendranath, B.L. (Dacca University.)
McAlpin, the Hon'ble Mr. M. C., C.I.E. (Member, Executive Council.)
McCluskie, Mr. E. T. (Anglo-Indian.)
Mitter, Babu Rishikesh. [Burdwan North (Non-Muhammadan).]
Mitter, the Hon'ble Sir Provash Chunder, KT., C.I.E. (Member, Executive Council.)
Moberly, the Hon'ble Mr. A. N., C.I.E. (Member, Bengal Executive Council.)
Moitra, Babu Surendra Mohan. [Rajshahi (Non-Muhammadan).]
Moitra, Srijut Jogendra Nath. [Bogra *cum* Pabna (Non-Muhammadan).]
Mookerjee, Mr. Syamaprosad, Bar-at-Law. (Calcutta University.)
Mukerjea, Srijut Taraknath. [Hooghly Rural (Non-Muhammadan).]

N

Nag, Reverend B. A. (Nominated Non-official.)
Nasker, Babu Hem Chandra. [24-Parganas Rural Central (Non-Muhammadan).]
Nasimuddin, Mr. Khwaja, C.I.E. [Bakarganj South (Muhammadan).]
Nug, Babu Suk Lal. [Khulna (Non-Muhammadan).]

O

Ordish, Mr. J. E. [Dacca and Chittagong (European).]
Ormond, Mr. E. C. [Burdwan and Presidency (European).]

P

Pal Choudhuri, Mr. Ranjit. [Nadia (Non-Muhammadan).]
Pain, Babu Baroda Prasanna. [Howrah Municipal (Non-Muhammadan).]
Philip, Mr. J. Y. (Bengal Chamber of Commerce.)
Poddar, Mr. Ananda Mohan. (Bengal Mahajan Sabha.)

R

Raheem, Mr. A., C.I.E. [Calcutta North (Muhammadan).]
Rahman, Maulvi Azizur. [Mymensingh North-West (Muhammadan).]

Rahman, Mr. A. F. [Rangpur West (Muhammadan).]
Rahman, Mr. A. F. M. Abdur. [24-Parganas Rural (Muhammadan).]
Raikat, Mr. Prosanna Deb. [Jalpaiguri (Non-Muhammadan).]
Ray, Dr. Kumud Sankar. [Faridpur North (Non-Muhammadan).]
Ray, Kumar Shib Shekhareswar. (Rajshahi Landholders.)
Ray, Srijut Radha Gobinda. [Bankura East (Non-Muhammadan).]
Ray Chaudhuri, Babu Sanat Kumar. [24-Parganas Rural North (Non-Muhammadan).]
Ray Chaudhuri, Mr. K. C. (Nominated Non-official.)
*Ray Chaudhuri, the Hon'ble Raja Manmatha Nath, of Santosh. (Dacca Landholders.)
Rose, Mr. G. F. (Indian Jute Mills Association.)
Roy, Babu Manmatha Nath. [Howrah Rural (Non-Muhammadan).]
Roy, Dr. Bidhan Chandra. [24-Parganas Municipal North (Non-Muhammadan).]
Roy, Mr. Bijoy Prasad Singh. [Burdwan South (Non-Muhammadan).]
Roy, Mr. D. N., Bar-at-Law. [Jessore South (Non-Muhammadan).]
Roy, Mr. Kiran Sankar. [Dacca Rural (Non-Muhammadan).]
Roy, Mr. Sadhan Chandra. (Bengal National Chamber of Commerce.)
Roy, Mr. Sarat Kumar. (Presidency Landholders.)
Roy Choudhuri, Babu Hem Chandra. [Noakhali (Non-Muhammadan).]
Roy Choudhuri, Rai Bahadur Satyendra Nath. [Bakarganj South (Non-Muhammadan).]
Rushforth, Mr. F. V. [Presidency and Burdwan (European).]

S

Saadatullah, Maulvi Muhammad. [24-Parganas Municipal (Muhammadan).]
Samad, Maulvi Abdus. [Murshidabad (Muhammadan).]
Sardar, Haji Lal Mohammed. [Rajshahi South (Muhammadan).]
Sarkar, Sir Jadunath, KT., C.I.E. (Nominated Non-official.)
Sarker, Babu Naliniranjan. [Mymensingh East (Non-Muhammadan).]
Sarker, Rai Sahib Rebati Mohan. (Nominated Non-official.)
Sen Gupta, Mr. J. M. [Chittagong (Non-Muhammadan).]
Shah, Maulvi Abdul Hamid. [Mymensingh East (Muhammadan).]
Skinner, Mr. S. A. (Bengal Chamber of Commerce.)
Singh, Srijut Taj Bahadur. [Murshidabad (Non-Muhammadan).]
Singha, Mr. Arun Chandra. (Chittagong Landholders.)
Sinha, Raja Bahadur Bhupendra Narayan, of Nashipur. (Burdwan Landholders.)

* President of the Bengal Legislative Council.

Solaiman, Maulvi Muhammad. [Barrackpore Municipal (Muhammadan).]
Stapleton, Mr. H. E. (Nominated Official.)
Stuart-Williams, Sir S. C., KT. (Nominated Official.)
Suhrawardy, Mr. H. S. [Calcutta South (Muhammadan).]

T

Tarkathirtha, Kaviraj Bimalananda, Pundit Bhushan. [Jessore North (Non-Muhammadan).]
Tate, Major General Godfrey, M.B., K.H.S., I.M.S. (Nominated Official.)
Thompson, Mr. W. H. (Bengal Chamber of Commerce.)
Travers, Mr. W. L., C.I.E., O.B.E. [Rajshahi (European).]
Twynam, Mr. H. J. (Nominated Official.)

THE BENGAL LEGISLATIVE COUNCIL PROCEEDINGS.

(Official Report of the Thirty-second Session.)

Volume XXXII.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Town Hall, Calcutta, on Tuesday, the 2nd July, 1929, at 3 p.m.

Present:

The Chairman (Mr. W. L. TRAVERS, C.I.E., O.B.E.) in the Chair, the four Hon'ble Members of the Executive Council, and 130 nominated and elected members.

[The Secretary to the Council announced the Chairman who then entered the Chamber in procession and took his stand on the dais facing the members. The oath was there administered to him by the Secretary.

The Chairman then bowed to the members and took his seat.]

Mr. CHAIRMAN (Mr. W. L. Travers, C.I.E., O.B.E.): Oaths.

Would the members in the official block please come forward first in groups of six, thereafter the members in the North-West, and West blocks, and finally the members in the North-East and East blocks.

Oaths or affirmations.

One hundred and thirty nominated and elected members made an oath or affirmation of their allegiance to the Crown.

[After each member took the oath he was introduced to the Chairman by the Secretary.]

CHAIRMAN: Are there any members present who have not yet taken the oath? [Pause.]

(No members having come forward)

Mr. CHAIRMAN: Before I adjourn the Council I should like to remind members of the business that will be transacted to-morrow.

His Excellency the Governor will address the newly constituted Council at 5 minutes past three o'clock. I would ask all members to be in their seats punctually at 3 p.m. when the oath will be administered to any members who have been unable to take it to-day.

After His Excellency has retired the election of the President will begin.

The following nominations have been received:—

1. Raja Manmatha Nath Ray Chaudhury, of Santoeh—

   Proposed by Nawab Musharruf Hosain, Khan Bahadur.

   Seconded by Mr. A. F. Rahman.

   Also proposed by Raja Bhupendra Narayan Sinha Bahadur, of Nashipur.

   Seconded by Rai Badridas Goenka Bahadur, C.I.E.

   Also proposed by Mr. W. H. Thompson.

   Seconded by Mr. F. V. Rushforth.

   Also proposed by Rai Badridas Goenka Bahadur, C.I.E.

   Seconded by Mr. Bijoy Prosad Singh Roy.

2. Kumar Shib Shekhareswar Ray—

   Proposed by Mr. A. K. Fazl-ul Huq.

   Seconded by Haji Lal Mohammed Sardar.

3. Maulvi Abdul Karim—

   Proposed by Maulvi Tamizuddin Khan.

   Seconded by Khan Sahib Maulvi Muazzam Ali Khan.

   Also proposed by Maulvi Abdus Samad.

   Seconded by Khan Bahadur Maulvi Azizul Haque.

When the election of the President is concluded I shall adjourn the Council for half an hour in order that the approval by His Excellency of the elected President may be obtained.

Immediately after the Council re-assembles the newly-elected President will be installed in the Chair, and the election of the Deputy

President will be conducted under his authority. I may say, however, that the following nominations have been received for the election of Deputy President:—

1. Mr. Bijoy Prosad Singh Roy—

   Proposed by Raja Bhupendra Narayan Sinha Bahadur, of Nashipur.

   Seconded by Rai Badridas Goenka Bahadur, C.I.E.

   Also proposed by Raja Bhupendra Narayan Sinha Bahadur, of Nashipur.

   Seconded by Mr. Prasanna Deb Raikat.

2. Maulvi Abul Kasem—

   Proposed by Nawab Musharruf Hosain, Khan Bahadur.

   Seconded by Khan Bahadur Maulvi Hafizur Rahman Chaudhury.

   Also proposed by Nawab Musharruf Hosain, Khan Bahadur.

   Seconded by Mr. A. F. Rahman.

3. Mr. Razaur Rahman Khan—

   Proposed by Khan Bahadur Maulvi Alimuzzaman Chaudhuri.

   Seconded by Khan Bahadur K. G. M. Faroqui.

   Also proposed by Maulvi Mohammed Basir-uddin.

   Seconded by Maulvi Abdul Hakim.

   Also proposed by Mr. H. S. Suhrawardy.

   Seconded by Maulvi Abdul Karim.

   Also proposed by Khan Sahib Maulvi Muazzam Ali Khan.

   Seconded by Mr. A. F. M. Abdur Rahman.

4. Maulvi Syed Majid Baksh—

   Proposed by Mr. A. K. Fazl-ul-Huq.

   Seconded by Maulvi Muhammad Fazlullah.

Adjournment.

The Council was then adjourned till 3 p.m., on Wednesday, the 3rd July, 1929, at the Town Hall, Calcutta.

Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.

THE COUNCIL met in the Council Chamber in the Town Hall, Calcutta, on Wednesday, the 3rd July, 1929, at 3 p.m.

Present:

The Chairman (Mr. W. L. TRAVERS, C.I.E., O.B.E.) in the Chair, the four Hon'ble Members of the Executive Council and 133 nominated and elected members.

Mr. CHAIRMAN: Any members present who have not taken the oath may do so now.

Oath or affirmation.

The following members made an oath or affirmation of their allegiance to the Crown:—

Mr. SUBHAS CHANDRA BOSE.

Rai BADRIDAS GOENKA Bahadur, C.I.E.

[At 3-10 p.m. the Second Assistant Secretary to the Council announced to the Chairman that His Excellency the Governor was without.

The Chairman then left his seat on the *dais* and met His Excellency at the head of the staircase. His Excellency then entered the Council Chamber with the Chairman, and, at the request of the Chairman, took his seat in the Presidential Chair, the Chairman being seated on His Excellency's right.]

His Excellency the Governor's Address.

HIS EXCELLENCY the GOVERNOR of BENGAL (the Right Hon'ble Sir Francis Stanley Jackson): Mr. Travers and gentlemen, I have taken advantage of my privilege to come here to-day on the occasion of the first meeting of the newly-elected Legislative Council, to offer a welcome to the members of the Council, and to express the hope that the results of their labours here may prove of satisfaction to themselves, and of benefit to the constituencies they represent, and through them, to the Presidency.

You are shortly to proceed to the election of one of your number, to carry the honourable and responsible duty of presiding over your deliberations, and it is not my intention to stand long between you and the exercise of your responsibility in this respect.

It is, perhaps, desirable that I should make a short statement, without going too deeply into details, upon the circumstances which led me, in pursuance of my prerogative, to dissolve the late Council and order an appeal to the Electorate.

It is a courtesy the Council have a right to expect from me, and what I have to say may have some bearing upon my action in the future.

I should like to make it clear at once, that it was always my desire to avoid any premature dissolution of the Council with all its attendant disturbance and inconvenience, especially at this time of the year. My endeavour to avoid a dissolution was one of the chief causes for the somewhat sudden decision I found myself obliged to take.

The course of Ministries in Bengal has never run very smoothly. I find that in opening the session of the new Council in January, 1927, my predecessor, Lord Lytton, had reason to refer to the appointment of Ministers to take charge of the Transferred Departments of Government. The situation with which he was confronted was different from that in which I found myself placed last April. In his case, for a considerable time, Government had been carried on under the Transferred Subjects Temporary Administration Rules, and owing to the Council having failed to provide the necessary funds for salaries, which was a definite indication against the appointment of Ministers, the transfer of all the "Transferred Subjects" was suspended by the Governor-General in Council with the sanction of the Secretary of State; whereas the late Council by a large majority had made provision for salaries and thereby indicated a definite desire that Ministers should be appointed.

I think it was in January, 1927 that the new Council reversed the decision of the old one and salaries were voted, and when I arrived in Bengal in March, 1927, Ministers were functioning.

In August of that year the Ministry was defeated on a vote of "no confidence." Not without considerable difficulty I succeeded in finding new Ministers in October, 1927, who, I had reason to believe, would command the confidence of the Council. The Ministry survived a vote of "no confidence" in March, 1928. On the transfer of one of the Ministers to the Executive Council, a successor was appointed, but in March, 1929 the Ministry which had lasted for nearly 18 months fell.

Almost immediately after the defeat of the Ministry the provision of salaries for Ministers to which I have already referred was voted by a majority of 2 to 1. After continuous effort to find Ministers, I was forced to the conclusion that any I could select to carry the responsibility, could not command sufficient support to assure stability, and it seemed clear to me that my only alternative under these conditions was to dissolve the Council and to order an appeal to the Constituencies.

It was open for me to continue to administer the Transferred Departments under the provisions of the Act and cease to endeavour to find Ministers from amongst the elected members of the Council.

This is the alternative provided for carrying on the Government of this Presidency, if the appointment of Ministers is not possible. It is simple and not ineffective; but I was, and am, convinced, apart from my constitutional obligations, that in the general interest of the administration of the Province, the Transferred Departments should be administered through Ministers directly responsible to this Council, and every effort should be made to this end before resorting to the alternative to which I have referred. I was forced to the conclusion that further efforts to attain this object in the late Council, composed as it was, were useless, but the possibility of a new Council being more favourably disposed towards a Ministry could not be disregarded.

It had been persistently demonstrated for some time that there was considerable difference of opinion within the various groups who might be regarded as supporters of the Constitution, whilst there was unanimity amongst that party who have consistently opposed the appointment of Ministers, and who have been as consistently prepared to join in any attempt to dispose of them.

The position was further complicated by the definite pronouncement of the European members of the Council that they were not prepared any longer to support Ministers who could not be regarded as commanding sufficient backing, to assure a reasonable chance of their being able to carry on the work undisturbed for some time.

It was for me to decide whether such an impasse had arrived as to justify my exercising the prerogative under section 72 (B) of the Act, namely, to dissolve the Council and to pursue my endeavours in a new one. It appeared to me that a situation had arisen such as was contemplated by the framers of the Act when this section was inserted.

We meet to-day in the new Council which, as far as I can judge, does not differ greatly in its composition from its predecessor. I have no reason to doubt that this Council, like the last one would favour the appointment of Ministers, but although I desire to proceed according

to the Constitution and to appoint Ministers, I feel it would be unwise to make any appointment until I have some definite indication that the persons appointed may feel sure of adequate support.

In accordance with constitutional practice, I approached the leader of that party which, as a result of the election, possesses the largest and most united number of elected members of this Council. I regret he does not see his way to undertake the responsibility of forming a Ministry and I fear I must take it that his Party generally is in opposition to the appointment of Ministers.

If the opposition is successful in preventing the appointment of Ministers, the Government must be carried on and all Departments will be administered by the Governor with his Executive Council a proceeding which I do not desire.

On the other hand, I am not without hope that an indication will be forthcoming in the near future that the majority of this Council favour the course of the appointment of Ministers responsible to the Council for the Transferred Departments, and that the required support will be assured, in which case I shall proceed at once with my task.

And now I come to the business which this Council will be asked to deal with in the session beginning early in August. There are some important Bills which are ready for consideration and which deal with Education.

The Bengal (Rural) Primary Education Bill of which the aim is to make better provision for primary education in the rural areas of Bengal, is ready for consideration by the Council. The Bengal Primary Education Act, 1919, made provision for both voluntary and compulsory primary education in municipalities and certain other areas. The present Bill is a more comprehensive measure dealing with the non-municipal areas of the Province. It provides for the establishment of District School Boards for the control of primary education in each district, for the levy of a cess to supply funds for essential development, and for the gradual introduction of compulsory education as soon as adequate provision for the needs of each locality is made.

The Bill which was before the last Council at the time of its dissolution, had been examined by a Select Committee of that Council. As far as possible the recommendations of the Select Committee will be embodied in the Bill. It is hoped that this Bill will be brought before the Council for consideration in the August session.

The Calcutta University Bill has been drafted and is at present under examination. The object is to reorganise the University of Calcutta so as to provide for the more effective discharge of all University activities and to co-ordinate under-graduate and post-graduate academic work.

A Secondary Education Bill to make provision for the regulation and control of secondary education throughout the Province will also shortly be ready for presentation to the Council.

Other legislative projects ready for consideration by the Council in due course are a Bill to provide for the making and execution of land development and town planning schemes, and a Bill to consolidate and amend the law relating to the control and sanitation of mining settlements in Bengal.

One of the earliest projects however that will come before the Council is the Bengal Children (Amendment) Bill which aims at so amending the existing Act as to permit of the establishment of a Central Juvenile Court for Calcutta and the neighbouring area. This Act, I feel, should be assured of general support.

The Council which meets for the first time to-day is the fourth which has been elected in Bengal under the Reforms of 1919. One cannot say whether there will be a fifth Council elected under similar conditions, but in view of the fact that the future constitution for India is to be considered by Parliament in the immediate future, in the light of recommendations of the Commission which lately visited this country, and provided this Council runs its normal course, it is possible that the next Council may be elected under new conditions.

I earnestly hope that the new conditions which may arise as a result of the decision of Parliament will be such as to establish a feeling of good-will and that all parties in Bengal will be ready and eager to shoulder Ministerial responsibility.

Meanwhile I trust that this Council will take full advantage of its opportunities and by promoting useful, practical and well considered legislation, with a single eye to the general interest of all communities, will be able to improve the general welfare of the Presidency. In this task I pray for the guidance of Divine Providence upon your endeavours.

His Excellency the Governor then left the Council, preceded by the Chairman.

[On the return of the Chairman.]

3-30 p.m.

Oath or affirmation.

The following member made oath or an affirmation of his allegiance to the Crown:—

Dr. JATINDRA MOHAN DAS GUPTA.

Election of President.

Mr. CHAIRMAN: We have now to proceed with the election of the President of the Bengal Legislative Council. The following gentleman has been duly nominated by the members of the Council:

Raja Manmatha Nath Ray Chaudhuri, of Santosh

Proposed by Nawab Musharruf Hosain, Khan Bahadur, and seconded by Mr. A. F. Rahman.

Also proposed by Raja Bhupendra Narayan Sinha Bahadur, of Nashipur, and seconded by Rai Badridas Goenka Bahadur, C.I.E.

Also proposed by Mr. W. H. Thompson, and seconded by Mr. F. V. Rushforth.

Also proposed by Rai Badridas Goenka Bahadur, C.I.E., and seconded by Mr. Bijoy Prosad Singh Roy.

Gentlemen, I have to announce that this is the only nomination which survives. I, therefore, declare Raja Manmatha Nath Ray Chaudhuri, of Santosh, to be elected as President of the Bengal Legislative Council. I shall now forward the name of Raja Manmatha Nath Ray Chaudhuri, of Santosh, to His Excellency the Governor for his approval under sub-section (1) of section 72C of the Government of India Act. Pending receipt of His Excellency's orders the Council stands adjourned.

Mr. J. M. SEN GUPTA: Sir, cannot we go on with the election of the Deputy President of the Council in the mean time?

Mr. CHAIRMAN: That will be done under the ægis of the President.

[At 3-35 p.m. the Council was adjourned and it reassembled at 4-10 p.m.]

Mr. CHAIRMAN: I would ask the members kindly to rise in their places to receive a message from His Excellency the Governor.

The following message was then read out by the Chairman:

"In exercise of the discretion vested in me by sub-section (*1*) of section 72C of the Government of India Act, I approve of the election of Raja Manmatha Nath Ray Chaudhuri, of Santosh, as President of the Bengal Legislative Council.

(Sd.) F. STANLEY JACKSON,
Governor of Bengal."

July 3rd, 1929.

Mr. CHAIRMAN: I would now ask the Secretary to bring in the newly elected President.

[The Hon'ble Raja Manmatha Nath Ray Chaudhuri, of Santosh, then entered the Council Chamber in procession and was received by the Chairman at the presidential *dais*. The Chairman then inducted the President into the presidential Chair.]

The Hon'ble Mr. A. N. MOBERLY: Sir, on behalf of Government I wish to congratulate you most heartily on your election as President of this Council. You are no stranger to those of us who were members of the last Council and we welcome the decision of this House which is in accordance with the practice in the House of Commons a practice which, I think, every one will agree is most desirable if it can be followed. I wish you every success in carrying out the duties of your office and have the fullest confidence that you will continue to discharge them to the satisfaction of all parties in this House.

Mr. J. M. SEN GUPTA: Allow me to welcome you on behalf of myself and members on this side on having been for the second time elected to this exalted office. You know, Sir, that we do not love this constitution. You know that even in free countries where they have a constitution in which the Executive is responsible to the Legislative bodies even there how difficult it has been, as history tells us, for the Legislative body to always influence the Executive. How much more difficult it is under this constitution of ours for the irremoveable and irresponsible Executive to be in the slightest way influenced by the decisions of the majority of the elected representatives of the Indian electors. Sir, it is to you that in this constitution we look as the Speaker in the House of Commons used to be looked to in the old days fighting for the rights of the House of Commons as against the King or any other high personages who wanted to usurp the functions of the Government. Let the day come let me hope for that day when in this Legislative Council, we will see you go up after your election to the Executive Government for the rights and privileges of the House which the Executive will not be able to refuse.

Mr. A. K. FAZL-UL HUQ: Sir, on behalf of the newly formed Bengal praja party in this Council, I offer you my heartiest and sincerest congratulations on your re-election to the presidential Chair. Sir, you do not belong to the tenant class but to the class of zamindars; and whatever may be the conflict of interests between the zamindar and the tenant, I have no doubt that in the discharge of your duties as President of the Council, you will allow yourself, as you have done in the past, to rise to the height of the occasion and hold the scales of justice even between conflicting claims. My friend, the leader

of the Swaraj party has expressed the hope that in working the constitution to our desired end, you will so enable us to conduct the discussion that the day may come when the high traditions of the British Parliament may be introduced in this country and we fervently hope because by the way you have conducted yourself in the last Council you have laid the foundations of that hope—that under your guidance we will be able to conduct the proceedings of this Council in a manner befitting the dignity of the Legislative Council of one of the foremost Provinces in India.

Raja Bahadur BHUPENDRA NARAYAN SINHA, of Nashipur: Sir, I beg to associate myself with what has been said and I offer you on behalf of my humble self and of the landholding class of Bengal our sincerest hearty congratulations. We feel proud that as a representative of the landholding class you have once again been elected as the President of this hon'ble House. Your straightforwardness, your unselfish attitude and impartial judgment have won the admiration of the different classes of the House and I am thankful to my friends and colleagues for unanimously electing you once again to the presidential Chair thereby recognising your past services. I wish you every success.

Mr. W. L. TRAVERS: On behalf of the British group I desire to convey to you our very sincere congratulations on your re-election to the Chair. I have only one or two remarks to make. One is that our group is entirely assured that it will receive every consideration at your hands and on the other hand we can assure you that we ourselves will heartily support you in the position to which you have been chosen.

Nawab KHWAJA HABIBULLAH: Sir, on behalf of the Bengal Moslem party I have much pleasure in associating myself with all that has been said by the Hon'ble Leader of the House and the leaders of the other groups on your re-election to the presidential Chair. This unanimous choice of the Council is a very healthy sign of our public life. We feel assured that the impartiality and dignity of the Chair will be safe in your hands. I assure you that you will have our entire support in carrying on your task.

Maulvi ABDUS SAMAD: On behalf of the Bengal Moslem League I offer you my hearty congratulations and I fully endorse all the sentiments which have been expressed on your election to the Chair.

Rai Sahib REBATI MOHAN SARKER: Sir, it is with great pleasure that I rise to congratulate you on your re-election to the presidential Chair to the Bengal Legislative Council. The way in which you

discharged your responsibilities in the past is well known and it is also well known that you held the scales of justice even. On behalf of the depressed classes I wish you all success.

Mr. PRESIDENT (the Hon'ble Raja Manmatha Nath Ray Chaudhuri, of Santosh): When the heart is full, the fewest and the simplest words are the best. I really do not use the language of convention when I say that I am overwhelmed by your kindness in electing me as President of this Council. For the second time, in succession, you have very generously reposed your trust in me and may God help me to rise up to the height of my duties. Wherever there is a privilege there must be a corresponding responsibility. I am conscious that I have attained to a position of high distinction, but that my post is one of difficulty and embarrassment. When one looks at this side of the picture, he partially realises why, for four centuries, during the early life of the Mother of all Parliaments, the Speaker-elect indulged in a show of physical resistance and disputed the ground with his captors, the Proposer and the Seconder, inch by inch as they led him to the Chair. But I do believe that I will have your sympathy and support in moments of doubts and difficulties. Such is my hope because I am determined to safeguard the varied interests of the different parties and groups of this House and to defend its legitimate rights and privileges. I am determined to serve this Council faithfully and with unimpeachable impartiality. Lastly, I am determined to assist you from my place to establish parliamentary traditions in this country. I shall always draw strength from what your representatives have said of me to-day and remain grateful to them for their felicitous expressions of good-will.

Election of Deputy President.

Mr. PRESIDENT: We will now proceed with the election of the Deputy President. In this connection I invite the attention of the House to the provisions of section 4 (2) of the Bengal Legislative Council Rules and Standing Orders which run as follows:—

"4. (2) Every member who wishes to propose a member for election must—

(*i*) ascertain previously that the member is willing to serve if elected; and

(*ii*) hand to the President a notice containing the name of the member whom he desires to propose, signed by himself and some other member as seconder."

Will any member who desires to make a nomination kindly hand in his notice?

4-30 p.m.

Mr. PRESIDENT: The following gentlemen have been nominated for election as Deputy-President:—

(1) Mr. Razaur Rahman Khan—

Proposed by Khan Bahadur Maulvi Alimuzzaman Chaudhuri and seconded by Khan Bahadur K. G. M. Faroqui.

Also proposed by Maulvi Mohammed Basir-uddin and seconded by Maulvi Abdul Hakim.

Also proposed by Mr. H. S. Suhrawardy and seconded by Maulvi Abdul Karim.

Also proposed by Khan Sahib Maulvi Muazzam Ali Khan and seconded by Mr. A. F. M. Abdur-Rahman.

(2) Maulvi Syed Majid Baksh—

Proposed by Mr. A. K. Fazl-ul Huq and seconded by Maulvi Muhammed Fazlullah.

As there is more than one candidate I think we shall have to proceed to the election of a Deputy President by ballot.

Members will proceed into the "No" lobby by the door on the right of the Chair. Two ballot boxes have been provided in the lobby, so arranged as to enable a member to record his vote screened from observation.

It will increase the comfort of members themselves if they enter the lobby in batches of 6 or 8 at a time, beginning from the east (right hand) side of the Chamber.

Each member will be given one ballot paper as he enters the screened enclosure.

Members should place a X opposite the name of the candidate they wish to vote for. Only one name should be so marked, and the ballot paper must not be signed or initialled.

Mr. PRESIDENT: I shall now announce the result of the ballot.

Mr. Razaur Rahman Khan	...	68
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Mr. PRESIDENT: There is a tie. No principle is involved in a matter like this and I think I should give no reason when I say that my vote will be for Mr. Razaur Rahman Khan.

Under sub-section (2) of section 72C of the Government of India Act I shall now have to forward the name of Mr. Razaur Rahman Khan to His Excellency the Governor for his approval.

Prorogation.

Mr. PRESIDENT: I have it in command from His Excellency the Governor to announce that the Bengal Legislative Council stands prorogued.

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